

Message Text

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40

ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 EB-11 COME-00 L-03 CIAE-00

INR-11 NSAE-00 RSC-01 DRC-01 PA-04 PRS-01 USIA-15

INT-08 /099 W

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R 091352Z AUG 74

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 8570

INFO AMEMBASSY PARIS

C O N F I D E N T I A L NAIROBI 6762

E.O. 11652: GDS

TAGS: BDIS, CPRS, KE, US

SUBJ: SAUL CASE

REF: NAIROBI 6754

1. MILLER INFORMED TODAY (AUGUST 9) AMBASSADOR'S DECISION THAT IT WOULD NOT AT PRESENT BE USEFUL FOR AMBASSADOR TO SEE KENYATTA ON THIS CASE. MILLER SEEMED DIS-APPOINTED, A DISAPPOINTMENT COMPOUNDED BY FACT HIS LAWYERS HAD JUST INFORMED HIM THAT ATTORNEY GENERAL NJONJO DECLINED TO SEE KENYATTA ON THIS MATTER AND BY FACT THERE APPARENTLY HAS BEEN NO ACTION TAKEN BY MUNGAI.

2. MILLER HAS VIRTUALLY GIVEN UP ON MUNGAI AND NOW PLANS TO PROCEED WITH LEGAL CASE. HIS LAWYERS SAY CASE CAN BE READY BY NEXT THURSDAY OR FRIDAY. INITIAL STEP OF LEGAL CASE WOULD BE TO SEEK COURT INJUNCTION AGAINST FURTHER MINING BY CRITICOS. LAWYERS SEEM CONFIDENT THAT IF CASE GIVEN FAIR HEARING SAUL WOULD WIN.

3 . BY NOW SAUL CASE COMMON KNOWLEDGE IN NAIROBI EXPATRIATE COMMUNITY AND AT LEAST ONE REPORTER FOR CONFIDENTIAL

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U.S. PUBLICATION, IN ADDITION TO NY TIMES CORRE-

SPONDENT, HAS WHAT APPEARS TO BE FULL STORY. THIS

REPORTER HOWEVER HAS NO PLANS TO USE STORY BECAUSE
OF COMPLEXITY OF CASE AND WHAT HE DESCRIBED AS
"ILLEGAL DEALINGS ON BOTH SIDES".
MARSHALL

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